

Before the
Federal Communications Commission
Washington, DC 20554

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AUG 19 2016

FCC Mailroom

In the Matter of

WILLIAM L. ZAWILA

Permittee of FM Station KNKS
Coalinga, California

AVENAL EDUCATIONAL SERVICES, INC.

Permittee of FM Station KAAX,
Avenal, California

**CENTRAL VALLEY EDUCATIONAL
SERVICES, INC.**

Permittee of FM Station KYAF,
Firebaugh, California

**H. L. CHARLES d/b/a FORD CITY
BROADCASTING**

Permittee of FM Station KZPE,
Ford City, California

**LINDA WARE d/b/a LINDSAY
BROADCASTING**

Licensee of FM Station KZPO,
Lindsay, California

) EB Docket No. 03-152

) Facility ID No. 72672

) Facility ID No. 3365

) Facility ID No. 9993

) Facility ID No. 22030

) Facility ID No. 37725

DOCKET FILE COPY ORIGINAL

To: Marlene H. Dortch, Secretary, FCC
Attn: Chief Administrative Law Judge
Richard L. Sippel

OPPOSITION TO ENFORCEMENT BUREAU'S MOTION FOR SUMMARY
DECISION

The Estate of Linda Ware, Cynthia Ramage, Executor, the
Estate of H.L. Charles, Robert Willing, Executor, and William
L. Zawila hereby submit their opposition to the Enforcement
Bureau's Motion for Summary Decision in the above-referenced matter.

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In the Matter of)	EB Docket No. 03-152
)	
WILLIAM L. ZAWILA)	Facility ID No. 72672
)	
Permittee of FM Station KNKS)	
Coalinga, California)	
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AVENAL EDUCATIONAL SERVICES, INC.)	Facility ID No. 3365
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Permittee of FM Station KAAX,)	
Avenal, California)	
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CENTRAL VALLEY EDUCATIONAL)	Facility ID No. 9993
SERVICES, INC.)	
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Permittee of FM Station KYAF,)	
Firebaugh, California)	
)	
H. L. CHARLES d/b/a FORD CITY)	Facility ID No. 22030
BROADCASTING)	
)	
Permittee of FM Station KZPE,)	
Ford City, California)	
)	
LINDA WARE d/b/a LINDSAY)	Facility ID No. 37725
BROADCASTING)	
)	
Licensee of FM Station KZPO,)	
Lindsay, California)	

To: Marlene H. Dortch, Secretary, FCC
Attn: Chief Administrative Law Judge
Richard L. Sippel

OPPOSITION TO ENFORCEMENT BUREAU'S MOTION FOR SUMMARY
DECISION

The Estate of Linda Ware, Cynthia Ramage, Executor, the
Estate of H.L. Charles, Robert Willing, Executor, and William
L. Zawila hereby submit their opposition to the Enforcement
Bureau's Motion for Summary Decision in the above-referenced matter.

DISCOVERY - BASIS FOR MOTION FOR SUMMARY DECISION -

The within Motion for Summary Decision is based on adverse findings of fact against the parties entered in Order FCC 16M-18 on 5-10-16 in this proceeding. This Order is based on the presiding judge's disregard of the parties' responses to requests for admissions served by the enforcement bureau. See footnote 21 on page 5 of the said Order FCC 16M-18. While the presiding judge characterized these responses as "tardy responses", the parties submit that they were timely responses in compliance with the presiding judge's own prior orders.

The Order FCC 16M-18 entering adverse findings against the parties is now on appeal to the full Commission. Attached hereto is a copy of this subject appeal which explains in detail why the above-referenced responses were timely and not "tardy" as characterized by the presiding judge. A copy of the subject appeal is attached hereto as Exhibit 1.

The within Motion for Summary Decision is also based on a misstatement of fact in paragraph 8 on page 8 of the said motion that the parties have not responded to requests for admissions served by the enforcement bureau in 2003. This is absolutely wrong. The parties did in fact respond in a timely manner to the requests for admissions served in 2003. Attached hereto as Exhibit 2 is a copy of the cover letter from the parties' then Washington counsel to the enforcement bureau covering original declarations to be associated with responses submitted on 10-20-03. Attached hereto as Exhibit 3 is a copy of the responses to the 2003 requests for admissions submitted by H.L. Charles on behalf

of Ford City Broadcasting. Attached hereto as Exhibit 4 is a copy of the responses to the 2003 requests for admissions submitted by William L. Zawila. Attached hereto as Exhibit 5 is a copy of the responses to the 2003 requests for admissions submitted by Cynthia Ramage, Executor of the Estate of Linda Ware.

These responses to the 2003 requests for admission were handled by agreement between the enforcement bureau's then counsel and the parties' then Washington counsel Howard Braun of the firm Katten Muchin Zavis & Rosenman.

These responses to the 2003 requests for admission are also discussed in the appeal attached hereto as Exhibit 1 and serve as part of the basis for the said appeal.

The alleged failure to timely respond to requests for admissions discussed above cannot stand and serve as a basis for admissions to support the Order of 5-10-16 (FCC 16M-18) making adverse findings of fact when requests for admissions have been timely responded to in 2003 essentially denying such proposed admissions. As noted above, this Order (FCC 16M-18) is now on appeal to the full Commission and a copy of this appeal is attached hereto as Exhibit 1.

Without the support of the said Order FCC 16M-18 providing alleged admissions by the parties, the current motion for summary decision cannot be granted as there are no admissions by the parties to support the requested summary decision.

DISCOVERY CANNOT BE USED TO RELIEVE THE BURDEN OF PROOF -

Discovery has been used in this proceeding not to gain information but, rather, as a weapon against the parties to avoid the FCC's burden of proof in this proceeding. (47 CFR §1.91(d)(1)).

Discovery in this case has sought information and documents that are already in the hands of the FCC.

Discovery has been vague, ambiguous, overbroad, burdensome, oppressive, and overly expensive to deal with. It has been generally impossible to deal with due to dead parties, dead attorneys, dead witnesses, missing witnesses, lost, missing or misplaced records and documents, fading of memories, loss of memories.

It is patently unfair to demand information and documents through discovery when such information and documents are already in the hands of the FCC having been submitted to the FCC over the last 30 years.

Over 1000 discovery demands were made on the parties resulting in an impossible burden on the parties. These excessive demands required reconstruction of the 30 year history of the stations involved in this proceeding. This is simply an impossible task.

Discovery was used to place the parties in an impossible situation and to gain an unfair advantage over the parties in an effort to prevail in this proceeding without the necessity of an evidentiary hearing and without the necessity of meeting the FCC's burden of proof regarding the allegations in the HDO of 7-16-03 issued in this proceeding.

STAY AND DELAY -

It has been wrongly stated that the prejudicial delay in this proceeding since 2004 is due to the request of the parties to this opposition (hereinafter "the parties"). This is not true.

The truth of the matter is that the parties requested a stay of this proceeding in 2004 expressly only for the limited purpose of allowing time for their distress sale applications that were filed on 2-17-04 to be processed and approved.

The parties were told by their then FCC attorneys and by the FCC through their then Washington counsel that it would take 30-45 days for their distress sale applications to be approved.

The parties did not request an open-ended indefinite stay to go for years on end.

Notwithstanding the specific limited request of the parties to stay this proceeding for the specific purpose of allowing their distress sale applications to be approved within 30-45 days as represented by the FCC itself, the FCC sat on the parties' distress sale applications filed on 2-17-04 for the remainder of the entire year of 2004.

When these said applications were filed on 2-17-04, all regulatory fees for the subject stations were current.

By the time that the FCC sat on the said applications for the entire year of 2004, some regulatory fee issues arose and the FCC dismissed the said applications in January, 2005, due to unpaid regulatory fees with no ruling on the matter of the distress sales proposed by the parties in the said applications which had been filed on 2-17-04.

From the time that the said applications were dismissed in January, 2005, the parties continued to litigate with the FCC seeking reinstatement of the said applications.

Much like the FCC's ignoring the said applications throughout the year of 2004, the FCC ignored this proceeding for the next 10 years after ignoring the said applications throughout the entire year of 2004.

The parties had no control over the lack of action by the FCC during the year of 2004 or during the 10 year period after the year of 2004.

To say that the parties are responsible for the excessive delay in this proceeding is simply not true in light of the factual events which actually occurred as outlined above.

The excessive prejudicial delay occurred in this proceeding because the FCC chose to ignore the said applications filed on 2-17-04 and subsequently chose to ignore this proceeding for another 10 years after ignoring the said applications during the entire year of 2004.

IMPACT OF PREJUDICIAL DELAY ON INABILITY TO DEAL WITH
DISCOVERY -

The excessive prejudicial delay caused by the FCC's lack of action as outlined hereinabove has made it impossible to deal with the excessive discovery served by the enforcement bureau in this proceeding.

Beyond the fact that 2 parties are dead and cannot respond to discovery, highly prejudicial events and circumstances occurred during this excessive delay period.

Witnesses necessary to obtain information or documents or to respond to discovery have died or their whereabouts have become unknown. Information and documents have been lost, misplaced, or disposed of through purging of files and records in the normal course of business operations. Memories have faded or failed completely. Attorneys necessary to obtain information or documents or to respond to discovery have died or their whereabouts have become unknown.

The highly prejudicial events and circumstances outlined above have been discussed in detail and described at length by the parties in their pleadings and filings with the FCC in this proceeding.

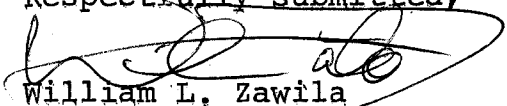
CONCLUSION -

For all of the reasons discussed hereinabove, the parties respectfully request that the within motion for summary decision be denied.

8-16-16

12600 Brookhurst Street - #105
Garden Grove, CA 92840
(714) 636-5040-Telephone
(714) 636-5042-FAX

Respectfully submitted,



William L. Zawila
Attorney for the Estate of
Linda Ware, Cynthia Ramage,
Executor, the Estate of H.L.
Charles, Robert Willing, Execu-
tor, and William L. Zawila

EXHIBIT 1

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	EB Docket No. 03-152
)	
WILLIAM L. ZAWILA)	Facility ID No. 72672
)	
Permittee of FM Station KNKS)	
Coalinga, California)	
)	
AVENAL EDUCATIONAL SERVICES, INC.)	Facility ID No. 3365
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Permittee of FM Station KAAX,)	
Avenal, California)	
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CENTRAL VALLEY EDUCATIONAL SERVICES, INC.)	Facility ID No. 9993
)	
Permittee of FM Station KYAF,)	
Firebaugh, California)	
)	
H. L. CHARLES d/b/a FORD CITY BROADCASTING)	Facility ID No. 22030
)	
Permittee of FM Station KZPE,)	
Ford City, California)	
)	
LINDA WARE d/b/a LINDSAY BROADCASTING)	Facility ID No. 37725
)	
Licensee of FM Station KZPO,)	
Lindsay, California)	

To: Marlene H. Dortch, Secretary, FCC
The Full Commission

**APPEAL OF ORDER (FCC 16M-18) TO THE FULL
COMMISSION**

The Estate of Linda Ware, Cynthia Ramage, Executor, the
Estate of H.L. Charles, Robert Willing, Executor, and William L.
Zawila hereby appeal Order (FCC 16M-18) to the Full Commission

pursuant to §1.301(a)(1) of the Commission's Rules and Regulations, 47 C.F.R. §1.301(a)(1). The said Order (FCC 16M-18) released on 5-10-16 terminates the right of the three (3) appellants named above to participate in this proceeding with regard to the allegations contained in the Hearing Designation Order of 7-16-03 in this matter. The said Order (FCC 16M-18) makes findings of fact against the said appellants on all allegations set forth in the said Hearing Designation Order without taking any evidence on the said allegations set forth in the said HDO. The said Order is based on the erroneous grounds that the said appellants failed to respond to requests for admission served by the enforcement bureau on 9-4-03 and 2-2-16 as further discussed hereinafter.

The said appellants only became aware of the said Order (FCC 16M-18) on 5-26-16 when it was accidentally brought to their attention by an individual who called appellants' counsel to inquire about the said Order. Otherwise, the appellants would not even be aware of the said Order. Appellants' counsel is acting immediately upon gaining knowledge of the said Order to appeal the said Order to the Full Commission as stated above.

While the said Order asserts in footnote 73 on page 12 that a copy of the said Order was sent to William L. Zawila, counsel for the said appellants, by fax and first class mail, no such fax or mail copy of the said Order has been received by appellants' counsel as of this date, 5-26-16. This fax/mail handling of pleadings and Orders in this proceeding was requested by appellants' counsel because appellants' counsel does not have access to e-mail in his office for business or litigation purposes. Appellants' counsel

is retired except for his involvement in this proceeding and has never had internet service or computer equipment such as would be required for e-mails. Thus appellants' counsel has never consented to receive documents, pleadings, or Orders from the FCC by e-mail.

THE SAID ORDER (FCC 16M-18) IS BASED ON ERRONEOUS GROUNDS -

The said Order asserts that the enforcement bureau served requests for admission on the appellants on 9-4-03 and that the appellants failed to respond. This is absolutely wrong.

The appellants were represented by the Washington law firm of Katten Muchin Zavis Rosenman in 2003 and responses to the said requests for admission that were served on 9-4-03 were submitted on 10-20-03 by the said law firm on behalf of the appellants pursuant to arrangements with the enforcement bureau. Attached hereto as Exhibit 1 is a copy of the transmittal letter of 11-10-03 sent from Shelley Sadowsky, Esquire, of the said law firm to attorney James Shook of the enforcement bureau covering original declarations to replace fax declarations that were submitted with the appellants' responses to the said requests for admission on 10-20-03. ALJ Arthur Steinberg was copied on this letter.

On 3-30-16, the enforcement bureau served a proposed order seeking adverse findings of fact on all allegations in the said HDO of 7-16-03 noted above based in part on failure to respond to the said requests for admission served on 9-4-03 as discussed above. The appellants filed an objection to the said proposed order pointing out that the said requests for admission had indeed been responded to as noted above. Attached hereto as Exhibit 2 is a copy of appellants' objection to the said proposed order.

The said Order also asserts that the enforcement bureau served requests for admission on the appellants on 2-2-16 and that while the appellants served responses to the said requests for admission they were deemed untimely and disregarded. This too is absolutely wrong. The said responses were timely based on the presiding officer's own prior orders and should not have been disregarded.

Exhibit 2 attached hereto, appellants' objection to the enforcement bureau's proposed order seeking adverse findings of fact, outlines prior orders of the presiding officer allowing the appellants an opportunity to respond to the said requests for admission without specifying a specific deadline date. In compliance with these prior orders of the presiding officer, the appellants served responses to the said requests for admission on 3-28-16 with a copy to the presiding officer. Exhibit 2 notes these responses.

On 3-29-16, the presiding officer held a status conference in which it was acknowledged that the appellants had provided the said responses to the said requests for admission. However, the said responses were deemed untimely and disregarded notwithstanding the fact that under the prior orders noted above in Exhibit 2 they were timely and should have been considered.

The said Order (FCC 16M-18) was granted making adverse findings of fact against the appellants based on failure to respond to requests for admissions served by the enforcement bureau on 9-4-03 and 2-2-16. However, as noted above there were indeed timely and proper responses to both sets of requests for admissions and the said Order should not have been made.

On 3-24-16, the appellants served their Statement for Status Conference Set for 3-29-16 with a copy to the presiding officer in which they explained the reasons for their inability to attend the said status conference on 3-29-16. In this said Statement the appellants stated their willingness to comply with the discovery orders discussed in Exhibit 2 attached hereto and that they anticipated serving further responses as early as 3-26-16. Attached hereto as Exhibit 3 is a copy of appellants' said Statement.

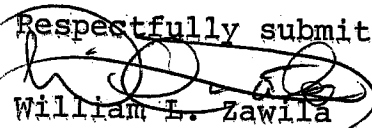
Subsequently, the appellants served responses to the said requests for admission pursuant to the said orders mentioned in Exhibit 2 hereof but they were disregarded by the presiding officer as noted above and the said Order appealed herein was made.

The appellants respectfully request that this appeal be granted, that the said Order (FCC 16M-18) be overturned and declared null and void, and that the appellants be allowed to participate in any evidentiary hearing on all allegations set forth in the said HDO of 7-16-03.

5-26-16

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Respectfully submitted,


William L. Zawila
Attorney for the Estate of
Linda Ware, Cynthia Ramage,
Executor, the Estate of H.L.
Charles, Robert Willing, Execu-
tor, and William L. Zawila

KMZ Rosenman
KATTEN MUCHIN ZAVIS ROSENMAN

1025 Thomas Jefferson Street, N.W.
East Lobby, Suite 700
Washington, DC 20007-5201
202 625 3500 office 202 298 7570 fax

SHELLEY SADOWSKY
SPECIAL COUNSEL
shelley.sadowsky@kmzr.com
Direct Dial 202 625 3719
Direct Fax 202 298 1120

November 10, 2003

By Courier

James Shook, Esquire
Enforcement Bureau
Federal Communications Commission
236 Massachusetts Ave., NE
Suite 110
Washington, DC 20002

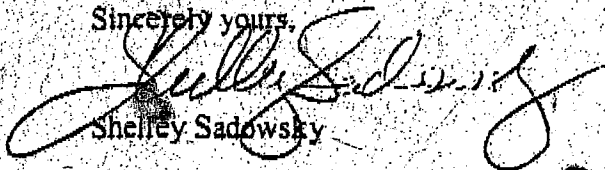
Re: **EB Docket No. 03-152**
William L. Zawila, et al

Dear Mr. Shook:

On behalf of William L. Zawila, Avenal Educational Services, Inc., Central Valley Educational Services, Inc., H.L. Charles d/b/a Ford City Broadcasting and Linda Ware d/b/a Lindsay Broadcasting, parties in the above-referenced proceeding, and for association with their respective Response to Enforcement Bureau's Requests for Admission of Facts submitted on October 20, 2003, I am enclosing original supporting declarations to substitute for the facsimile copies that were submitted with the Responses on October 20, 2003.

Should you have any questions concerning this matter, please contact me.

Sincerely yours,


Shelley Sadowsky

Counsel for William L. Zawila,
Avenal Educational Services, Inc.
Central Valley Educational Services, Inc.
H.L. Charles d/b/a Ford City Broadcasting,
Linda Ware d/b/a Lindsay Broadcasting

Enclosures (5)

cc: Administrative Law Judge Arthur Steinberg (w/ enc.)

EXHIBIT

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LINDA WARE d/b/a LINDSAY BROADCASTING)	Facility ID No. 37725
)	
Licensee of FM Station KZPO,)	
Lindsay, California)	

To: Marlene H. Dortch, Secretary, FCC
Attn: Chief Administrative Law Judge
Richard L. Sippel

OBJECTION TO PROPOSED ORDER REGARDING NEGATIVE
FINDINGS OF FACT WARRANTED BY DISCOVERY VIOLATIONS

The Estate of Linda Ware, Cynthia Ramage, Executor, the
Estate of H.L. Charles, Robert Willing, Executor, and William

EXHIBIT 2

L. Zawila hereby submit this Objection to the Enforcement Bureau's Proposed Order Regarding Negative Findings of Fact Warranted By Discovery Violations served in this matter on 3-30-16 as follows.

PRIOR REQUESTS FOR ADMISSION WERE SERVED AND PROPERLY RESPONDED TO BY THESE OBJECTING PARTIES -

Almost 13 years ago, the enforcement bureau served requests for admission in this proceeding in or about September, 2003. These objecting parties properly responded to these requests for admission on or about 10-20-03. At the time, these objecting parties were represented by Washington counsel Howard J. Braun of the firm Katten Muchin Zavis & Rosenman as well as by other attorneys from this firm. Arrangements were handled between Mr. Braun, his associates, and counsel for the enforcement bureau for these requests to be responded to in a proper manner. Such responses were prepared by these objecting parties and properly served by Mr. Braun's firm on the enforcement bureau pursuant to the arrangements made between Mr. Braun's firm and the enforcement bureau. These objecting parties were advised that the then presiding ALJ Arthur Steinberg was made aware of these responses to the said requests for admission.

The subject proposed order is inconsistent with and in conflict with the said responses to the said requests for admission that were served by Mr. Braun's firm as discussed above.

The subject proposed order appears to completely ignore the said responses served by Mr. Braun's firm which completely contradict the subject proposed order in this matter. For this reason, the proposed order should be rejected and denied.

PRIOR ORDERS OF THE PRESIDING OFFICER -

The presiding officer in this matter has issued prior orders which conflict with the subject proposed order as follows.

On 3-14-16, the presiding officer issued his order (FCC 16M-08) ordering Ford City Broadcasting (the Estate of H.L. Charles) to revisit and respond to discovery, including the requests for admission served by the enforcement bureau. This order contained no deadline date for compliance. It should be noted that the Estate of H.L. Charles has now responded to the subject requests for admission in this matter and a copy was sent to the presiding officer.

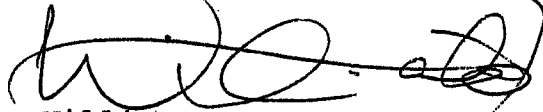
On 3-15-16, an order similar to the one described above with respect to the Estate of H.L. Charles was also issued with respect to Lindsay Broadcasting (the Estate of Linda Ware). Here too, there was no deadline date to respond to the subject requests for admission but they have in fact now been responded to by the Estate of Linda Ware with a copy to the presiding officer. This to Lindsay Broadcasting is (FCC 16M-09).

Orders similar to the ones described above were also issued by the presiding officer as to William L. Zawila. As with the other parties noted above, the subject requests for admission to William L. Zawila have now been responded to with a copy to the presiding officer.

These objecting parties are in compliance with the orders of the presiding officer described above affecting the subject requests for admission. The subject responses to the said requests for admission also conflict with and contradict the proposed order.

For the reasons discussed above, it is respectfully submitted that the proposed order in this matter should be rejected and denied inasmuch as the said responses to the two sets of requests for admission discussed above clearly provide a proper basis to deny the subject proposed order.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'W. L. Zawila', with a large, sweeping flourish extending from the end of the signature.

William L. Zawila
Attorney for the Estate of
Linda Ware, Cynthia Ramage,
Executor, the Estate of H.L.
Charles, Robert Willing, Executor,
and William L. Zawila
12600 Brookhurst Street - #105
Garden Grove, CA 92840
(714) 636-5040-Telephone
(714) 636-5042-FAX

4-7-16

CERTIFICATE OF SERVICE

I, William Zawila, hereby certify that a copy of the foregoing Objection to Proposed Order Regarding Negative Findings of Fact Warranted By Discovery Violations was served on the following by U.S. First Class Mail, postage prepaid, on 4-7-16:

Chief Administrative Law Judge

Richard L. Sippel

FCC

445 12th Street, S.W. - Room 1-C768

Washington, D.C. 20554

Pamela S. Kane, Esquire

Investigations and Hearings Division

Enforcement Bureau

FCC

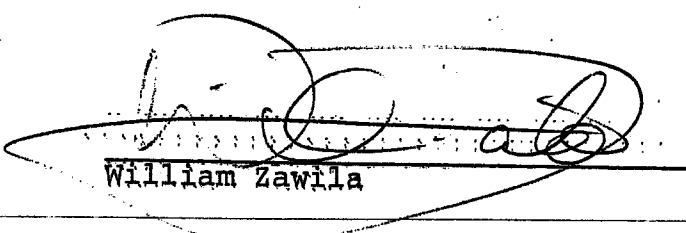
445 12th Street, S.W. - Room 4-C366

Washington, D.C. 20554

Michael Couzens

6536 Telegraph Avenue - Suite B201

Oakland, CA 94609



William Zawila

Before the
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LINDA WARE d/b/a LINDSAY)	Facility ID No. 37725
BROADCASTING)	
)	
Licensee of FM Station KZPO,)	
Lindsay, California)	

To: Marlene H. Dortch, Secretary, FCC
Attn: Chief Administrative Law Judge
Richard L. Sippel

STATEMENT FOR STATUS CONFERENCE SET FOR MARCH 29, 2016

This Statement for the Status Conference Set for 3-29-16 is
hereby submitted on behalf of the Estate of Linda Ware, Cynthia

EXHIBIT 3

Ramage, Executor, the Estate of H.L. Charles, Robert Willing, Executor, Avenal Educational Services, Inc., Central Valley Educational Services, Inc., and William L. Zawila.

STATUS CONFERENCE -

There is a status conference regarding discovery matters set for 3-29-16.

STATUS CONFERENCE STATEMENT -

This Statement is hereby submitted for the Status Conference regarding discovery matters on 3-29-16.

It is impossible for the parties to this Statement named above to appear at the Status Conference on 3-29-16 personally or by counsel due to lack of financial resources.

The expense of this proceeding over the past 13 years for fees for Washington attorneys and numerous other costs has completely exhausted the parties' financial resources.

The parties cannot afford Washington attorneys. The undersigned is handling this matter on a pro bono basis.

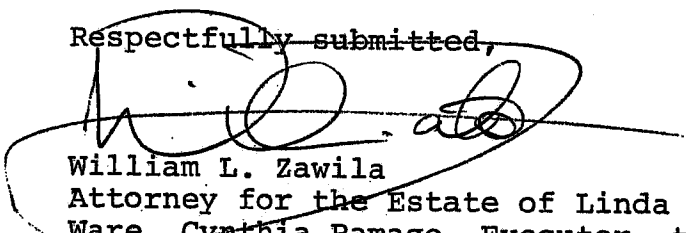
Appearing at the Status Conference on 3-29-16 is simply impossible.

If the undersigned were able to appear at the Status Conference on 3-29-16 regarding discovery matters, his participation would consist of summarizing facts already known by all concerned in this matter. In particular, the enforcement bureau has served discovery and the presiding officer has ordered the parties to respond to the discovery pursuant to recent discovery orders.

The parties to this Statement will revisit the said discovery

as soon as possible pursuant to the discovery orders issued by the presiding officer. It is anticipated that the parties to this Statement will begin serving responses to the said discovery as early as 3-26-16.

Respectfully submitted,



William L. Zawila
Attorney for the Estate of Linda
Ware, Cynthia Ramage, Executor, the
Estate of HL. Charles, Robert Willing,
Executor, Avenal Educational Services,
Inc., Central Valley Educational Ser-
vices, Inc., and William L. Zawila
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3-24-16

CERTIFICATE OF SERVICE

I, William Zawila, hereby certify that a copy of the foregoing Statement for Status Conference Set for 3-29-16

was served on the following by U.S. First Class Mail, postage prepaid, on 3-24-16:

Chief Administrative Law Judge

Richard L. Sippel

FCC

445 12th Street, S.W. - Room 1-C768

Washington, D.C. 20554

Pamela S. Kane, Esquire

Investigations and Hearings Division

Enforcement Bureau

FCC

445 12th Street, S.W. - Room 4-C366

Washington, D.C. 20554

Michael Couzens

6536 Telegraph Avenue -Suite B201

Oakland, CA 94609



William Zawila

CERTIFICATE OF SERVICE

I, William Zawila, hereby certify that a copy of the foregoing Appeal of Order FCC 16M-18 To The Full Commission

was served on the following by U.S. First Class Mail, postage prepaid, on 5-26-16:

Chief Administrative Law Judge
Richard L. Sippel
FCC
445 12th Street, S.W. - Room 1-C768
Washington, D.C. 20554

Pamela S. Kane, Esquire
Investigations and Hearings Division
Enforcement Bureau
FCC
445 12th Street. S.W. - Room 4-C366
Washington, D.C. 20554

Michael Couzens
6536 Telegraph Avenue -Suite B201
Oakland, CA 94609



William Zawila

EXHIBIT 2

1025 Thomas Jefferson Street, N.W.
East Lobby, Suite 700
Washington, DC 20007-5201
202 625 3500 office 202 298 7570 fax

SHELLEY SADOWSKY
SPECIAL COUNSEL
ssadowsky@kmz.com
Direct Dial: 202 625 3719
Direct Fax: 202 295 1120

November 10, 2003

By Courier

James Shook, Esquire
Enforcement Bureau
Federal Communications Commission
236 Massachusetts Ave., NE
Suite 110
Washington, DC 20002

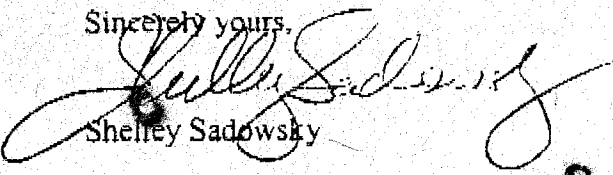
Re: **EB Docket No. 03-152**
William L. Zawila, et al

Dear Mr. Shook:

On behalf of William L. Zawila, Avenal Educational Services, Inc., Central Valley Educational Services, Inc., H.L. Charles d/b/a Ford City Broadcasting and Linda Ware d/b/a Lindsay Broadcasting, parties in the above-referenced proceeding, and for association with their respective Response to Enforcement Bureau's Requests for Admission of Facts submitted on October 20, 2003, I am enclosing original supporting declarations to substitute for the facsimile copies that were submitted with the Responses on October 20, 2003.

Should you have any questions concerning this matter, please contact me.

Sincerely yours,



Shelley Sadowsky

Counsel for William L. Zawila,
Avenal Educational Services, Inc.
Central Valley Educational Services, Inc.
H.L. Charles d/b/a Ford City Broadcasting,
Linda Ware d/b/a Lindsay Broadcasting

Enclosures (5)

cc: Administrative Law Judge Arthur Steinberg (w/ enc.)

EXHIBIT 3

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

EB Docket No. 03-152

In the Matter of)

WILLIAM L. ZAWILA)

Facility ID No. 72672

Permittee of FM Station KNKS,
Coalinga, California)

AVENAL EDUCATIONAL SERVICES, INC.)

Facility ID No. 3365

Permittee of FM Station KAAX,
Avenal, California)

CENTRAL VALLEY EDUCATIONAL
SERVICES, INC.)

Facility ID No. 9993

Permittee of FM Station KAJP,
Firebaugh, California)

H.L. CHARLES D/B/A FORD CITY
BROADCASTING)

Facility ID No. 22030

Permittee of FM Station KZPE,
Ford City, California)

LINDA WARE D/B/A LINDSAY
BROADCASTING)

Facility ID No. 37725

Licensee of FM Station KZPO,
Lindsay, California)

In re Application of)

WESTERN PACIFIC BROADCASTING, INC.)

File No. BR-19970804YJ

For Renewal of License for AM Station KKFO,
Coalinga, California)

Facility ID No. 71936

To: The Enforcement Bureau

**H.L. CHARLES d/b/a FORD CITY BROADCASTING'S
RESPONSES TO ENFORCEMENT BUREAU'S REQUEST FOR
ADMISSION OF FACTS**

H.L. Charles d/b/a Ford City Broadcasting ("FCB"), for its responses to the Request for the Admission of Facts served upon it by the Enforcement Bureau, pursuant to Section 1.246 of the Commission's Rules, 47 C.F.R. § 1.246, hereby states as follows:

GENERAL OBJECTIONS

1. FCB objects to Requests Nos. 9-11, 15, and 28 as seeking admissions with respect to the terms and contents of documents, where those documents are the best evidence of their terms and contents.

2. FCB objects to Request Nos. 9-11, 15, and 28 as calling for admissions with respect to the terms and contents of documents based upon misrepresentations of the actual terms and contents of those documents.

RESPONSES TO SPECIFIC REQUESTS

1. FCB has been the permittee of KZPE since July 12, 1990.

RESPONSE:

Admitted.

2. FCB has never constructed KZPE in accordance with the construction permit for the station issued to it by the FCC.

RESPONSE:

Denied.

3. No one has ever constructed KZPE in accordance with the construction permit for the station issued to FCB by the FCC.

RESPONSE:

Denied.

4. On or about July 29, 1999, Zawila informed Turner that KZPE would be built without main studio facilities.

RESPONSE:

Denied.

5. On or about July 29, 1999, Stevens informed Turner that KZPE would be built without main studio facilities.

RESPONSE:

Denied.

6. On or about July 29, 1999, Zawila informed Turner that KZPE would re-broadcast an off-air signal from another FM station located in or near Porterville, California.

RESPONSE:

Denied.

7. On or about July 29, 1999, Stevens informed Turner that KZPE would re-broadcast an off-air signal from another FM station located in or near

Porterville, California.

RESPONSE:

Denied.

8. Zawila's address is 12550 Brookhurst Street, Suite A, Garden Grove, California, 92640.

RESPONSE:

Admitted except as to the zip code stated in Request No. 8, which is incorrect.

9. Zawila signed the license application (FCC File No. BLH-19990804KG) on behalf of KZPE, certifying to the truth of the statements therein.

RESPONSE:

FCB cannot truthfully admit or deny the matter as stated in Request No. 9. FCB admits that Mr. William Zawila signed the license application (FCC File No. BLH-19990804KG) on behalf of KZPE as its attorney. However, the certification contained in that application states as follows: "I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith." It is therefore inaccurate to characterize Mr. Zawila's signature as "certifying to the truth of the statements therein" without reference to the complete certification language contained in the application.

10. Zawila signed BLH-19990804KG due to the physical disability of Charles.

RESPONSE:

FCB cannot truthfully admit or deny the matter as stated in Request No. 10. FCB admits Zawila signed BLH-19990804KG on behalf of FCB as its attorney.

11. All matters stated in BLH-19990804KG were based on the personal knowledge of Zawila.

RESPONSE:

FCB cannot truthfully admit or deny the matter as stated in Request No. 11. FCB admits Zawila signed BLH-19990804KG on behalf of FCB as its attorney and admits that the matters stated therein were based on his personal knowledge as FCB's attorney.

12. Charles is unaware of any details about the operation of KZPE.

RESPONSE:

Denied.

13. On February 21, 2001, Charles was unaware of any details about the operation of KZPE.

RESPONSE:

Denied.

14. Charles refers all inquiries regarding KZPE to Zawila.

RESPONSE:

Denied.

15. All KZPE applications filed with the Commission during or subsequent to 1999 bear Zawila's signature.

RESPONSE:

FCB cannot truthfully admit or deny the matter as stated. FCB admits that Zawila signed some applications on behalf of FCB as its attorney during the referenced time period

16. Zawila determines the basic operating policies of KZPE.

RESPONSE:

Denied.

17. Charles does not determine the basic operating policies of KZPE.

RESPONSE:

Denied.

18. Charles has never determined the basic operating policies of KZPE.

RESPONSE:

Denied.

19. Zawila makes all policy decisions concerning personnel of KZPE.

RESPONSE:

Denied.

20. Zawila makes all policy decisions concerning programming of KZPE.

RESPONSE:

Denied.

21. Zawila makes all policy decisions concerning finances of KZPE.

RESPONSE:

Denied.

22. Charles does not make any policy decisions concerning personnel of KZPE.

RESPONSE:

Denied.

23. Charles does not make any policy decisions concerning programming of KZPE.

RESPONSE:

Denied.

24. Charles does not make any policy decisions concerning finances of KZPE.

RESPONSE:

Denied.

25. Charles has never made any policy decisions concerning personnel of KZPE.

RESPONSE:

Denied.

26. Charles has never made any policy decisions concerning programming of KZPE.

RESPONSE:

Denied.

27. Charles has never made any policy decisions concerning finances of KZPE.

RESPONSE:

Denied.

28. On August 4, 1999, Zawila (on behalf of FCB) represented in BLH-19990804KG that KZPE was operating under automatic program test authority.

RESPONSE:

FCB cannot truthfully admit or deny the matter as stated in Request No. 28. FCB admits that Mr. William Zawila signed the license application (FCC File No. BLH-19990804KG) on behalf of KZPE as its attorney. However, the certification contained in that application states as follows: "I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith." It is therefore inaccurate to characterize Mr. Zawila's signature on that document as representing that "KZPE was operating under automatic program test authority," without reference to the complete certification language, which envisions that all representations contained therein are correct to the best of the signer's knowledge and belief.

29. On August 4, 1999, KZPE was not operating under automatic program test authority.

RESPONSE:

Denied.

30. Zawila knew, on August 4, 1999, that KZPE was not operating under automatic program test authority.

RESPONSE:

Denied.

31. KZPE's facilities have never operated on a full-time basis.

RESPONSE:

Denied.

32. In February 2001, KZPE's facilities were not operational.

RESPONSE:

Denied.

33. In February 2001, KZPE's equipment was housed in a metal shed that was open to the elements and sitting on a sheet of plywood that was laid on the ground.

RESPONSE:

Denied.

34. In February 2001, KZPE's diesel-powered generator was not operational.

RESPONSE:

Denied.

35. In February 2001, FCB could not find a fuel company that would deliver fuel

to the KZPE transmitter site.

RESPONSE:

Denied.

36. In February 2001, FCB could not find a company that would deliver a large fuel tank to the KZPE transmitter site.

RESPONSE:

Denied.

37. FCB has never constructed or maintained a main studio for KZPE.

RESPONSE:

Denied.

38. No one has ever constructed or maintained a main studio for KZPE.

RESPONSE:

Denied.

39. There is no main studio or any program origination equipment at KZPE's main studio site of record at the FCC.

RESPONSE:

Denied.

40. In February 2001, there was no main studio or any program origination equipment at KZPE's main studio site of record at the FCC.

RESPONSE:

Denied.

41. Prior to February 2001, KZPE was only on the air during July or August of 1999 for testing, and for about 30 minutes around September of 2000.

RESPONSE:

Denied.

42. FCB has never maintained a complete public inspection file at KZPE's main studio.

RESPONSE:

Denied.

43. No one has ever maintained a complete public inspection file at KZPE's main studio.

RESPONSE:

Denied.

44. FCB does not have a complete public inspection file for KZPE.

RESPONSE:

Denied.

45. No one has a complete public inspection file for KZPE.

RESPONSE:

Denied.

46. In February 2001, FCB did not have a complete public inspection file for KZPE.

RESPONSE:

Denied.

47. In February 2001, no one had a complete public inspection file for KZPE.

RESPONSE:

Denied.

48. A public inspection file for KZPE was placed in the Taft, California, Chamber of Commerce in February of 2001.

RESPONSE:

FCB cannot truthfully admit or deny the matter as stated. By way of further response, a public inspection file for KZPE was established in the Taft, California Chamber of Commerce prior to February 2001, and material was placed therein in February 2001, and thereafter.

49. The FM receive antenna for KZPE has never been operational.

RESPONSE:

Denied.

50. The FM receive antenna for KZPE is not operational.

RESPONSE:

Denied.

51. In February 2001, the FM receive antenna for KZPE was neither mounted nor connected.

RESPONSE:

Denied.

52. In February 2001, the FM receive antenna for KZPE was lying unconnected on the ground.

RESPONSE:

Denied.

53. In February 2001, the FM receive antenna for KZPE was damaged.

RESPONSE:

Denied.

54. There has never been EAS equipment at KZPE's authorized transmitter or main studio locations.

RESPONSE:

Denied.

55. There is no EAS equipment at KZPE's authorized transmitter or main studio locations.

RESPONSE:

Denied.

56. In February 2001, there was no EAS equipment at KZPE's authorized transmitter or main studio locations.

RESPONSE:

Denied.

57. FCB has never constructed a 24-meter antenna for KZPE.

RESPONSE:

Denied.

58. No one has ever constructed a 24-meter antenna for KZPE.

RESPONSE:

Denied.

59. In February of 2001, FCB had not constructed a 24-meter antenna for KZPE.

RESPONSE:

Denied.

60. In February of 2001, no one had constructed a 24-meter antenna for KZPE.

RESPONSE:

Denied.

61. FCB has never constructed a fence around the pole on which KZPE's antenna is mounted.

RESPONSE:

Denied.

62. No one has ever constructed a fence around the pole on which KZPE's antenna is mounted.

RESPONSE:

Denied.

63. In February of 2001, FCB had not constructed a fence around the pole on which KZPE's antenna is mounted.

RESPONSE:

Denied.

64. In February of 2001, no one had constructed a fence around the pole on which KZPE's antenna is mounted.

RESPONSE:

Denied.

65. FCB has never posted radiation hazard signs around KZPE's antenna.

RESPONSE:

Denied.

66. No one has ever posted radiation hazard signs around KZPE's antenna.

RESPONSE:

Denied.

67. In February of 2001, FCB had not posted radiation hazard signs around KZPE's antenna.

RESPONSE:

Denied.

68. In February of 2001, no one had posted radiation hazard signs around KZPE's antenna.

RESPONSE:

Denied.

69. FCB has operated KZPE substantially at variance from the terms of the station's Commission authorization.

RESPONSE:

Denied.

70. Zawila moved KZPE's antenna to a tower other than that which is authorized without a construction permit.

RESPONSE:

Denied.

71. FCB moved KZPE's antenna to a tower other than that which is authorized without a construction permit.

RESPONSE:

Denied.

72. Someone moved KZPE's antenna to a tower other than that which is authorized without a construction permit.

RESPONSE:

Denied.

73. FCB failed to maintain a properly staffed main studio for KZPE.

RESPONSE:

Denied.

Respectfully submitted,

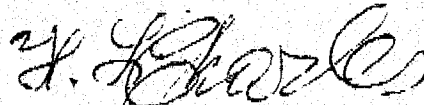
Howard J. Braun
Shelley Sadowsky
KATTEN MUCHIN ZAVIS ROSENMAN
1025 Thomas Jefferson St., N.W.
East Lobby - Suite 700
Washington, D.C. 20007-5201
(202) 625-3500
(202) 625-7570 (fax)

Counsel for H.L. Charles d/b/a Ford City
Broadcasting

October 20, 2003

DECLARATION

I, H.L. Charles, declare under penalty of perjury that the statements contained in the foregoing Response to Enforcement Bureau's Request for Admission of Facts are true and correct to the best of my knowledge and belief. Executed on October 17, 2003.



H.L. Charles

EXHIBIT 4

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

EB Docket No. 03-152

In the Matter of)

WILLIAM L. ZAWILA)

Facility ID No. 72672

Permittee of FM Station KNKS,
Coalinga, California)

AVENAL EDUCATIONAL SERVICES, INC.)

Facility ID No. 3365

Permittee of FM Station KAAX,
Avenal, California)

CENTRAL VALLEY EDUCATIONAL
SERVICES, INC.)

Facility ID No. 9993

Permittee of FM Station KASJ,
Firebaugh, California)

H.L. CHARLES D/B/A FORD CITY
BROADCASTING)

Facility ID No. 22030

Permittee of FM Station KZPE,
Ford City, California)

LINDA WARE D/B/A LINDSAY
BROADCASTING)

Facility ID No. 37725

Licensee of FM Station KZPO,
Lindsay, California)

In re Application of)

WESTERN PACIFIC BROADCASTING, INC.)

File No. BR-19970804YJ

Facility ID No. 71936

For Renewal of License for AM Station KKFO,
Coalinga, California)

To: The Enforcement Bureau

**WILLIAM L. ZAWILA'S
RESPONSES TO ENFORCEMENT BUREAU'S REQUEST FOR
ADMISSION OF FACTS**

William L. Zawila ("Zawila"), for his responses to the Request for the Admission of Facts served upon it by the Enforcement Bureau, pursuant to Section 1.246 of the Commission's Rules, 47 C.F.R. § 1.246, hereby states as follows:

GENERAL OBJECTIONS

1. Zawila objects to Requests Nos. 9-11 and 17-18 as seeking admissions with respect to the terms and contents of documents, where those documents are the best evidence of their terms and contents.

2. Zawila objects to Request Nos. 9-11 and 17-18 as calling for admissions with respect to the terms and contents of documents based upon misrepresentations of the actual terms and contents of those documents.

RESPONSES TO SPECIFIC REQUESTS

1. Zawila has been the permittee of KNGS since October 19, 1987.

RESPONSE:

Admitted.

2. Zawila has never constructed KNGS in accordance with the construction permit for the station issued to him by the FCC.

RESPONSE:

Denied.

3. Zawila never had anyone else construct KNGS in accordance with the

construction permit for the station issued to him by the FCC.

RESPONSE:

Denied.

4. Zawila has never filed an FCC Form 854 certifying construction of the tower on which KNGS was authorized by the FCC to be co-located with radio station KAAX(FM), Avenal, California.

RESPONSE:

Denied.

5. Avenal Educational Services, Inc., the permittee for radio station KAAX(FM), has never filed an FCC Form 854 certifying construction of the tower on which KNGS was authorized by the FCC to be co-located with radio station KAAX(FM).

RESPONSE:

Denied.

6. Zawila never constructed a 91-meter tower located at North Dome Ridge in Kettleman Hills, six kilometers East-Northeast of Avenal, California (the "KAAX/KNGS tower site").

RESPONSE:

Denied.

7. No one has ever constructed a 91-meter tower at the KAAX/KNGS tower site.

RESPONSE:

Denied.

8. The main studio for KNGS has never been located at the KAAX/KNGS tower site.

RESPONSE:

Denied.

9. Zawila signed the license application for KNGS (FCC File No. BLH-19990804KJ), certifying to the truth of the statements therein.

RESPONSE:

Zawila cannot truthfully admit or deny the matter as stated in Request No. 9. Zawila admits that he signed the license application for KNGS (FCC File No. BLH-19990804KJ). However, that document specifically states that "I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith." It is therefore inaccurate to characterize Mr. Zawila's signature as "certifying to the truth of the statements therein" without reference to the complete certification language contained in the application.

10. Zawila's representation in Section II, Item 18 of BLH-19990804KJ that the main studio for KNGS was located at the KAAX/KNGS tower site was false.

RESPONSE:

Zawila cannot truthfully admit or deny the matter as stated in Request No. 10. Zawila admits that he signed the license application for KNGS (FCC File No. BLH-19990804KJ). However, it is inaccurate to characterize any representation contained therein as true or false since the application specifically states that "I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith."

11. Zawila knew when he made his representation in Section II, Item 18 of BLH-19990804KJ that the main studio for KNGS was located at the KAAX/KNGS tower site that the representation was false.

RESPONSE:

Zawila cannot truthfully admit or deny the matter as stated in Request No. 11. Zawila admits that he signed the license application for KNGS (FCC File No. BLH-19990804KJ). However, it is inaccurate to characterize any representation contained therein as true or false since the application specifically states that "I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith."

12. Zawila's address is 12550 Brookhurst Street, Suite A, Garden Grove, California 92640.

RESPONSE:

Admitted except as to the zip code stated in Request No. 12, which is incorrect.

13. Zawila has never received a right-of-way from the Bureau of Land Management of the United States Department of the Interior to operate a radio station at the KAAX/KNGS tower site.

RESPONSE:

Denied.

14. Avenal Educational Services, Inc. has never received a right-of-way from the Bureau of Land Management of the United States Department of the Interior to operate a radio station at the KAAX/KNGS tower site.

RESPONSE:

Denied.

15. Zawila has never maintained a local telephone number for KNGS in Coalinga.

RESPONSE:

Denied.

16. Zawila has never maintained a toll-free telephone number for KNGS.

RESPONSE:

Denied.

17. Zawila's representation in a letter filed November 25, 2000 at the FCC, which responded to an informal objection filed with the FCC by Richard M. Smith

(the "November 25, 2000, letter"), that "KNGS was constructed in compliance with its construction permit" was false.

RESPONSE:

Zawila cannot truthfully admit or deny the matter as stated in Request No. 17. Zawila admits that he prepared and signed the November 25, 200 letter, but denies the remainder of Request No. 17.

18. At the time that he made the representation in the November 25, 2000, letter that "KNGS was constructed in compliance with its construction permit," Zawila knew that the representation was false.

RESPONSE:

Zawila cannot truthfully admit or deny the matter as stated in Request No. 18. Zawila admits that he prepared and signed the November 25, 200 letter, but denies the remainder of Request No. 18.

19. Zawila does not currently have a public file for KNGS.

RESPONSE:

Denied.

20. Zawila has never maintained a public file for KNGS.

RESPONSE:

Denied.

21. Zawila has never created a public file for KNGS.

RESPONSE:

Denied.

22. Zawila has never maintained station logs (*see* 47 C.F.R. § 73.1820(a)) for KNGS.

RESPONSE:

Denied.

Respectfully submitted,

Howard J. Braun
Shelley Sadowsky
KATTEN MUCHIN ZAVIS ROSENMAN
1025 Thomas Jefferson St., N.W.
East Lobby – Suite 700
Washington, D.C. 20007-5201
(202) 625-3500
(202) 625-7570 (fax)

Counsel for William L. Zawila

October 20, 2003

DECLARATION

I, William L. Zawila, declare under penalty of perjury that the statements contained in the foregoing Response to Enforcement Bureau's Request for Admission of Facts are true and correct to the best of my knowledge and belief. Executed on October 20, 2003.



William L. Zawila

EXHIBIT 5

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

EB Docket No. 03-152

In the Matter of)

WILLIAM L. ZAWILA)

Facility ID No. 72672

Permittee of FM Station KNKS,
Coalinga, California)

AVENAL EDUCATIONAL SERVICES, INC.)

Facility ID No. 3365

Permittee of FM Station KAAX,
Avenal, California)

CENTRAL VALLEY EDUCATIONAL
SERVICES, INC.)

Facility ID No. 9993

Permittee of FM Station KAJF,
Firebaugh, California)

H.L. CHARLES D/B/A FORD CITY
BROADCASTING)

Facility ID No. 22030

Permittee of FM Station KZPE,
Ford City, California)

LINDA WARE D/B/A LINDSAY
BROADCASTING)

Facility ID No. 37725

Licensee of FM Station KZPO,
Lindsay, California)

In re Application of)

WESTERN PACIFIC BROADCASTING, INC.)

File No. BR-19970804YJ

For Renewal of License for AM Station KKFO,
Coalinga, California)

Facility ID No. 71936

To: The Enforcement Bureau

**LINDA WARE d/b/a LINDSAY BROADCASTING'S
RESPONSES TO ENFORCEMENT BUREAU'S REQUEST FOR
ADMISSION OF FACTS**

Linda Ware d/b/a Lindsay Broadcasting ("LB"), for its responses to the Request for the Admission of Facts served upon it by the Enforcement Bureau, pursuant to Section 1.246 of the Commission's Rules, 47 C.F.R. § 1.246, hereby states as follows:

RESPONSES TO SPECIFIC REQUESTS

1. LB has been the licensee of KZPO since February 4, 1999.

RESPONSE:

Admitted.

2. On March 19, 2001, the public file for KZPO was not located at the station's main studio.

RESPONSE:

Denied.

3. Between March 19 and 21, 2001, Emergency Alert System ("EAS") equipment for KZPO was not operational.

RESPONSE:

Denied.

4. Linda Ware is deceased.

RESPONSE:

Admitted.

5. Linda Ware died before March 26, 2002.

RESPONSE:

Admitted.

6. Zawila's address is 12550 Brookhurst Street, Suite A, Garden Grove, California 92640.

RESPONSE:

Admitted except as to the zip code stated in Request No. 6, which is incorrect.

7. 12550 Brookhurst Street, Suite A, Garden Grove, California 92640 is LB's address of record at the FCC.

RESPONSE:

LB cannot truthfully admit or deny the matter as stated in Request No. 7. LB admits that 12550 Brookhurst Street, Suite A, Garden Grove, California 92640 is an incomplete address for LB, and therefore denies that this address is the proper address of record for LB at the FCC. By way of further answer, LB states that official FCC documents intended for LB are sent care of Mr. William Zawila as LB's attorney.

8. Zawila is not the executor of Linda Ware's estate.

RESPONSE:

Admitted.

9. Between September 18, 1998, and December 15, 2000, LB did not maintain a main studio for KZPO.

RESPONSE:

Denied.

10. LB does not maintain station logs for KZPO.

RESPONSE:

Denied.

11. LB has never maintained station logs for KZPO.

RESPONSE:

Denied.

12. Between March 19, 2001 and June 21, 2001, LB did not maintain EAS logs for KZPO.

RESPONSE:

Denied.

13. LB has not filed an application with the FCC to assign the KZPO license to the executor of Linda Ware's estate.

RESPONSE:

Admitted.

14. Zawila has not been hired by the executor of Linda Ware's estate to operate KZPO.

RESPONSE:

Denied.

Respectfully submitted,

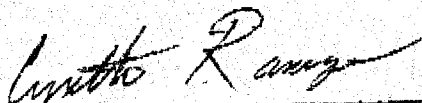
Howard J. Braun
Shelley Sadowsky
KATTEN MUCHIN ZAVIS ROSENMAN
1025 Thomas Jefferson St., N.W.
East Lobby - Suite 700
Washington, D.C. 20007-5201
(202) 625-3500
(202) 625-7570 (fax)

Counsel for Linda Ware d/b/a Lindsay
Broadcasting

October 20, 2003

DECLARATION

I, Cynthia Ramage, declare under penalty of perjury that the statements contained in the foregoing Response to Enforcement Bureau's Request for Admission of facts are true and correct to the best of my knowledge and belief. Executed on October 17, 2003.



Cynthia Ramage
Executor of the Estate of Linda Ware

CERTIFICATE OF SERVICE

I, William Zawila, hereby certify that a copy of the foregoing Opposition to Enforcement Bureau's Motion for Summary Decision was served on the following by U.S. First Class Mail, postage prepaid, on 8-16-16:

Chief Administrative Law Judge

Richard L. Sippel

FCC

445 12th Street, S.W. - Room 1-C768

Washington, D.C. 20554

Pamela S. Kane, Esquire

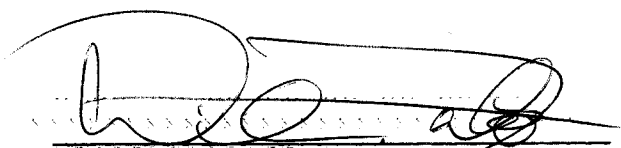
Investigations and Hearings Division

Enforcement Bureau

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